

**RESOLUTION NO. 189-12**

The Board of County Commissioners, Clermont County, Ohio, met in regular session on the

5th day of December 2012, with the following members present:

Robert L. Proud, President

Edwin H. Humphrey, Vice President

Mr. Humphrey moved for the adoption of the following Resolution:

**RESOLUTION IMPLEMENTING SECTIONS 3735.65 THROUGH 3735.70 OF THE OHIO REVISED CODE, ESTABLISHING AND DESCRIBING THE BOUNDARIES OF COMMUNITY REINVESTMENT AREA IN UNION TOWNSHIP, CLERMONT COUNTY, OHIO, DESIGNATING A HOUSING OFFICER TO ADMINISTER THE PROGRAM, AND CREATING A COMMUNITY REINVESTMENT HOUSING COUNCIL AND A TAX INCENTIVE REVIEW COUNCIL.**

**WHEREAS**, the Board of Commissioners of Clermont County, Ohio (hereinafter "Commissioners") desires to pursue all reasonable and legitimate incentive measures to assist and encourage development in specific areas of Union Township, Clermont County, Ohio that have not enjoyed reinvestment from remodeling or new construction;

**WHEREAS**, a survey of housing, a copy of which is on file in the office of the Department of Community and Economic Development as required by Ohio Revised Code (ORC) Section 3735.66 has been prepared for the area to be included in the proposed Community Reinvestment Area;

**WHEREAS**, the construction of new structures in such area would serve to encourage economic stability, maintain real property values, and generate new employment opportunities; and

**WHEREAS**, the construction of new structures in this Community Reinvestment Area constitutes a public purpose for which real property exemptions may be granted.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of County Commissioners of Clermont County, Ohio with at least two-thirds of its members thereto concurring as follows:

**SECTION I**

The area designated as the Union Township Area 1 Community Reinvestment Area constitutes an area in which housing facilities are located, and in which new construction and repair of existing facilities are discouraged.

## **SECTION II**

Pursuant to ORC Section 3735.66, Union Township Area 1 Community Reinvestment Area, is hereby established in the following described area:

Parcel Identification Numbers:

413215E134.

413215E092.

414219.001.

414219.008.

The Community Reinvestment Area is approximately depicted as the crosshatched area on the map attached to this Resolution (see Exhibit A) and by this reference incorporated herein.

Only commercial and/or industrial properties consistent with the applicable zoning regulations within the designated Community Reinvestment Area will be eligible for exemptions under this Program.

## **SECTION III**

All properties identified in Exhibit A as being within the designated Community Reinvestment Area are eligible for this incentive. This proposal is a public/private partnership intended to promote and expand conforming uses in the designated area. As part of the project, Union Township, Clermont County, Ohio intends to undertake supporting public improvements in the designated area.

## **SECTION IV**

Within the Community Reinvestment Area, the percentage of the tax exemption on the increase in the assessed valuation resulting from improvements to commercial and industrial real property and the term of those exemptions shall be negotiated on a case-by-case basis in advance of construction occurring according to the rules outlined in the ORC Section 3735.67. The results of the negotiation as approved by the Commissioners will be set in writing in a Community Reinvestment Area Agreement as outlined in ORC Section 3735.671, and are subject to the following parameters:

- a. Only projects involving construction exceeding \$7,000,000 will be considered.
- b. Up to, and including, ten (10) years, and up to, and including, fifty percent ( 50%) for the construction of new commercial or industrial facilities, the term and percentage of which shall be negotiated on a case-by-case basis in advance of construction occurring.

If new construction qualifies for an exemption, during the period of the exemption the exempted percentage of the structure shall not be considered to be an improvement on the land on which it is located for the purpose of real property taxation.

#### **SECTION V**

All commercial and industrial projects are required to comply with the state application fee requirements of ORC Section 3735.672 (C) and the local annual monitoring fee of one percent of the amount of taxes exempted under the agreement - a minimum of \$500 up to a maximum of \$2500 annually unless waived.

#### **SECTION VI**

To administer and implement the provisions of this Resolution, the Director of the Clermont County Department of Community and Economic Development is designated as the Housing Officer as described in Sections 3735.65 through 3735.70.

#### **SECTION VII**

That a "Community Reinvestment Area Housing Council" shall be created, consisting of one member appointed by each member of the Board of County Commissioners and two members appointed by the Planning Commission of Clermont County. The majority of the members shall then appoint two additional members who shall be residents within Clermont County. Terms of the members of the Council shall be for three years. An unexpired term resulting from a vacancy in the Council shall be filled in the same manner as the initial appointment was made. The Community Reinvestment Area Council shall make an annual inspection of the properties within the district for which an exemption has been granted under Section 3735.67 of the ORC. The Council shall also hear appeals under Section 3735.70 of the ORC.

A Tax Incentive Review Council shall be established pursuant to ORC Section 5709.85 and shall consist of three representatives appointed by the Board of County Commissioners, two representatives of Union Township, appointed by the Township Board of Trustees, the county auditor or designee and a representative of each affected Board of Education. At least two members must be residents of Union Township, Clermont County, Ohio. The Tax Incentive Review Council shall review annually the compliance of all agreements involving the granting of exemptions for commercial or industrial real property improvements under Section 3735.671 of the ORC and make written recommendations to the Commissioners as to continuing, modifying or terminating said agreement based upon the performance of the agreement.

### **SECTION VIII**

The Commissioners reserve the right to re-evaluate the designation of the Union Township Area 1 Community Reinvestment Area after December 31, 2013, on an annual basis, at which time the Commissioners may direct the Housing Officer not to accept any new applications for exemptions as described in Section 3735.67 of the ORC.

### **SECTION IX**

The Community Reinvestment Area Council shall make an annual inspection of the properties within the district for which an exemption has been granted under Section 3735.67 of the ORC. The Community Reinvestment Area Council shall also hear appeals under 3735.70, of the ORC.

### **SECTION X**

That this Resolution shall take effect and be enforced from and after the earliest period allowed by law and upon confirmation by the Director of the Ohio Development Services Agency of the findings in this Resolution.

### **SECTION XI**

The President of the Clermont Board of County Commissioners is hereby directed and authorized to petition the Director of the Ohio Development Services Agency to confirm the findings contained within this Resolution.

### **SECTION XII**

That the Board of County Commissioners hereby finds and determines that all formal actions relative to the passage of this Resolution were taken in an open meeting of this Board, and that all deliberations of this Board and its Committees, if any, which resulted in formal action, were taken in meetings open to the public, in full compliance with all applicable legal requirements including Section 121.22 of the Ohio Revised Code.

Mr. Proud seconded the motion and on roll call, the vote resulted as follows:

Robert L. Proud	<u>Yea</u>
Edwin H. Humphrey	<u>Aye</u>
David H. Uible	<u>Absent</u>

ATTEST:

Judith Kociqa  
Judith Kociqa, Clerk  
Board of County Commissioners  
Clermont County, Ohio

November 9, 2012  
Date

APPROVED AS TO FORM:

David J. Frey  
David J. Frey  
Assistant Prosecuting Attorney  
Clermont County, Ohio

11/30/12  
Date

## **RESOLUTION NUMBER 190-12**

The Board of County Commissioners, Clermont County, Ohio, met in regular session on the 5th day of December, 2012, with the following members present:

Robert L. Proud, President  
Edwin H. Humphrey, Vice-President

Mr. Humphrey moved for the adoption of the following Resolution:

### **RESOLUTION ADOPTING THE ANNUAL APPROPRIATIONS FOR THE COUNTY OF CLERMONT, OHIO, FOR FISCAL YEAR 2013 AND ESTABLISHING THE LEGAL LEVEL OF CONTROL FOR THE 2013 ANNUAL APPROPRIATIONS**

**WHEREAS**, Ohio Administrative Code Section 117-5-02 requires the Board of County Commissioners to adopt an annual appropriation measure which establishes the legal level of budgetary control, for the expenditure of County funds; and

**WHEREAS**, Ohio Revised Code Section 5705.38 (C) requires appropriation for personal services within each office, department and division; and

**WHEREAS**, Ohio Revised Code Section 5705.40 permits amendments or supplements to the annual appropriation items by resolution of the Board of County Commissioners; and

**WHEREAS**, the Board of County Commissioners desires to allow department managers flexibility in determining the best use of appropriated funds;

**NOW, THEREFORE, BE IT RESOLVED** by the Board of County Commissioners of Clermont County, Ohio with at least two-thirds of its members thereto concurring as follows:

#### **SECTION I**

That the Board of County Commissioners of Clermont County, Ohio hereby adopts the 2013 Annual Appropriation measure, attached as Exhibit A pursuant to and in compliance with Ohio Revised Code Section 5705.38.

#### **SECTION II**

That the initial legal level of control established within each fund, organization code and division included in the 2013 Annual Appropriations is set forth as follows:

	<u>Legal Level of Control</u>	<u>Detail Level</u>
1)	Elected Official Salary	Object Code 511100
2)	Regular Salary	Object Code 511200
3)	Magistrate Salary	Object Code 511400
4)	Appointed Board Official Salary	Object Code 511600
5)	Bargaining Units Salary	Object Code 511700
6)	Temporary Employee Salary	Object Code 511800
7)	Overtime	Object Code 512100
8)	Sick Pay Buy Back	Object Code 511203
9)	Retirement Payout	Object Code 513200
10)	Payment in Lieu of Health Insurance	Object Code 513300
11)	Fringe Benefits	Budget Group: 520000-529999
12)	Other Expenses	Budget Groups: 530000-799999
		530000-559999 (Purchased Services)
		570000-599999 (Materials & Supplies)
		610000-619900 (Contract M & R)
		630000-639999 (Utilities)
		650000-659999 (Debt Service)
		660000-689999 (Capital Outlay)
		700000-799999 (Transfers Advances & Reimbursements)

### SECTION III

That all amendments or supplements to the annual appropriation measure required to the legal control levels shall be authorized by resolution of the Board of County Commissioners and **may include any level deemed appropriate by the Board of County Commissioners.**

### SECTION IV


That the Board of County Commissioners hereby finds and determines that all formal actions relative to the passage of this Resolution were taken in an open meeting of this Board, and that all deliberations of this Board and its Committees, if any, which resulted in formal action, were taken in meetings open to the public, in full compliance with all applicable legal requirements, including Section 121.22 of the Ohio Revised Code.

Mr. Proud seconded the motion and on roll call, the vote resulted as follows:

Mr. Proud	Yea
Mr. Humphrey	Aye
Mr. Uible	Absent

This Resolution was duly passed on the 5th day of December, 2012.

ATTEST:

A handwritten signature in cursive script, appearing to read "Judith Kocica", written over a horizontal line.

Judith Kocica, Clerk of the Board  
Board of County Commissioners